

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAFAEL CERVANTES (1), ERICA  
GODINEZ (2), THOMAS HAROLD  
PARISIAN (3), CHRISTOPHER PAUL  
PARISIAN (4), LAWRENCE WADE  
RUSSETTE (5), GEORGIE ELAINE  
RUSSELL (6), TYLER JAMES COURCHANE  
(7), LESLEE FAYE PARISIAN (8),<sup>1</sup>  
ADAM DAVID KETCHUM (9), JACOB CHAD  
PARKER (10), and KRISTINA DAWN  
RUSSETTE (11),

Defendants.

No. 1:16-CR-2006-EFS-1 thru -11

**ORDER GRANTING DEFENDANTS' MOTION  
TO CONTINUE**

**AMENDED<sup>2</sup> CASE MANAGEMENT ORDER**

Before the Court, without oral argument, is Defendant Kristina Dawn Russette's Motion for Continuance of Pretrial and Trial, ECF No. 316. Defense counsel Michael Lynch requests a continuance of the pretrial motions filing deadline, the pretrial conference, and the

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<sup>1</sup> This Order and the deadlines it sets forth also apply to Defendant Leslee Parisian who was appointed counsel on May 31, 2016. Defense counsel for Defendant Leslee Parisian must also review the Court's March 21, 2016 Case Management Order, ECF No. 152, and abide by the requirements in that order.

<sup>2</sup> This Order amends the deadlines in the Court's March 21, 2016 Case Management Order, ECF No. 152.

1 trial, to allow more time to examine discovery, prepare any related  
2 motions, and prepare for trial in this complex case. Defendant  
3 supports counsel's request for a trial continuance for the articulated  
4 reasons. ECF No. 317. Assistant U.S. Attorney Benjamin Seal, appearing  
5 on behalf of the U.S. Attorney's Office (USAO), does not oppose the  
6 request. ECF No. 318 at 1.

7 The Indictment was filed on February 9, 2016. ECF No. 1. A  
8 Superseding Indictment was filed on April 12, 2016. ECF No. 212. This  
9 is the first request for a continuance following the filing of the  
10 Superseding Indictment.

11 To ensure defense counsel are afforded adequate time to review  
12 discovery, prepare any pretrial motions, conduct investigation, and  
13 prepare for trial, the Court grants the motion, extends the pretrial  
14 motion deadline, and resets the currently scheduled pretrial  
15 conference and trial dates in this complex case. The Court finds  
16 that Defendants' continuance request is knowing, intelligent, and  
17 voluntary, and that the ends of justice served by granting a  
18 continuance outweigh the best interest of the public and Defendants in  
19 a speedy trial. The delay resulting from Defendants' motion is  
20 therefore excluded under the Speedy Trial Act for all Defendants whom  
21 are joined for trial in this complex case.

22 Having considered the parties' proposed case schedule, ECF No.  
23 318, the Court now enters the following Amended Case Management Order.  
24 All counsel are expected to carefully read and abide by this Order and  
25 such provisions of the prior CMO, ECF No. 152, which have not been  
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superseded hereby. The Court will grant relief from the requirements in this Order only upon motion and good cause shown.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant Kristina Dawn Russette's Motion for Continuance of Pretrial and Trial, **ECF No. 316**, is **GRANTED**.

2. **Original CMO.** Counsel must review the procedures in the original March 21, 2016 CMO, ECF No. 152, and abide by those procedures except for the new compliance deadlines in the following Summary of Amended Deadlines.

3. **Pretrial Conference**

A. A pretrial conference is **SET** for **October 6, 2016**, at **10:00 a.m.** in **YAKIMA**.

B. A pretrial conference is **SET** to **December 15, 2016**, at **10:00 a.m.** in **YAKIMA**.

C. Defense counsel shall meet and confer regarding motions that will be heard at these early pretrial conferences. By **September 1, 2016**, defense counsel shall file a notice with the Court advising the Court as to the nature of the motions that will be heard at the October 6, 2016 and December 15, 2016 pretrial conferences.

D. The final pretrial conference is **RESET** to **March 9, 2017**, at **10:30 a.m.** in **YAKIMA**. At this hearing, the Court will hear **ALL** remaining pretrial motions.

E. All Pretrial Conferences are scheduled to last no more than **thirty (30) minutes**, with each side

allotted **fifteen (15) minutes** to present their own motions and resist motions by opposing counsel. If any party anticipates requiring longer than fifteen minutes, that party must notify the Courtroom Deputy at least seven (7) days prior to the hearing. Any party who fails to provide this notice will be limited to fifteen (15) minutes.

4. **Trial.** The Court **SETS** this matter for jury trial on **March 27, 2017**, at **9:30 a.m.** in **YAKIMA**. Counsel and Defendants shall be prepared to meet with the Court at least thirty (30) minutes prior to the commencement of the trial.

5. Pursuant to 18 U.S.C. § 3161(h)(7)(6) and (B)(i) and (ii), the Court **DECLARES EXCLUDABLE from Speedy Trial Act calculations** the period from **May 24, 2016**, the date defense counsel moved to continue, through **March 27, 2017**, the new trial date, as the period of delay granted for adequate preparation by counsel.

6. **Summary of Deadlines**

Rule 16 expert summaries produced to other parties and emailed to Court: USAO's Experts: Defendants' Experts: USAO's Rebuttal Experts:	<b>January 12, 2017</b> <b>January 26, 2017</b> <b>February 2, 2017</b>
All pretrial motions, including discovery motions, <i>Daubert</i> motions, and motions <i>in limine</i> , filed	<b>February 10, 2017</b>
<b>PRETRIAL CONFERENCE</b>	<b>October 6, 2016</b> <b>10:00 A.M. - YAKIMA</b>
<b>PRETRIAL CONFERENCE</b>	<b>December 15, 2016</b> <b>10:00 A.M. - YAKIMA</b>
<b>FINAL PRETRIAL CONFERENCE</b> <b>Deadline for motions to continue trial</b>	<b>March 9, 2017</b> <b>10:30 A.M. - YAKIMA</b>

CIs' identities and willingness to be interviewed disclosed to Defendants (if applicable)	<b>March 9, 2017</b>
Grand jury transcripts produced to Defendants	<b>March 10, 2017</b>
Exhibit & Witness lists filed and emailed to the Court	<b>March 17, 2017</b>
Trial briefs, jury instructions, verdict forms, and requested voir dire filed and emailed to the Court	<b>March 17, 2017</b>
Exhibit binders delivered to the Court	<b>March 20, 2017</b>
Exhibits delivered to all other parties	<b>March 17, 2017</b>
Delivery of JERS-compatible digital evidence files to the Courtroom Deputy	<b>March 17, 2017</b>
Trial notices filed with the Court	<b>March 17, 2017</b>
Technology readiness meeting (in-person)	<b>March 20, 2017</b>
<b>JURY TRIAL</b>	<b>March 27, 2017</b> <b>9:30 A.M. - YAKIMA</b>

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**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals Service.

**DATED** this 1<sup>st</sup> day of June 2016.

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s/Edward F. Shea

EDWARD F. SHEA  
Senior United States District Judge